

LAW OFFICES OF YOLANDA HUANG
YOLANDA HUANG, SBN 104543
528 Grand Avenue
Oakland, CA 94610
Telephone: (510) 329-2140
Facsimile: (510) 580-9410
Email: yhuang.law@gmail.com

DENNIS CUNNINGHAM, SBN 112910
115A Bartlett St.
San Francisco, CA 94110
Telephone: 415-285-8091
Facsimile: 415-285-8092
Email: denniscunninghamlaw@gmail.com

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO/OAKLAND DIVISION

ALAMEDA COUNTY MALE PRISONERS
And Former Prisoners, DANIEL GONZALEZ,
et al. on behalf of themselves and others similarly
situated, as a Class, and Subclass

PLAINTIFFS,

vs.

**ALAMEDA COUNTY SHERIFF'S
OFFICE, et al**

DEFENDANTS.

No. 3:19-cv-07423 JSC

**PLAINTIFFS' OPPOSITION TO
DEFENDANT ARAMARK'S
REQUEST FOR ENTRY OF
DEFAULT, DEFENDANT
COUNTY'S REPLY (Dkt. 59)**

I, YOLANDA HUANG, declare:

1. The calculation of the response date was based solely upon the ECF notices. The ECF notice for Defendants Alameda County Sheriff's Office, Gregory J. Ahern, Thomas Madigan, Captain Hesselein, Deputy Ignont, Deputy Joe, Captain Luckett-Fahimi, and the County of Alameda(hereinafter "County") a copy of which is attached as Exhibit A states that the response/opposition is due October 8, 2020. The ECF notice for Defendant Aramark had the

1 correct date listed, September 8, 2020, but staff misread it and in tandem with the date of October
2 8, 2020 in the notice from Defendant County (Exhibit A), calendared the response to be due
3 today, October 5, 2020. Attached as Exhibit B is a true and correct copy of the ECF notice.

4 2. Plaintiffs had prepared and have filed an opposition to defendant Aramark and to
5 Defendant County's Motion to Dismiss with regard to jail food. (ECF. 60)

6 3. Plaintiffs are in preparation and plan to file an opposition to the remainder of Defendant
7 County's Motion to dismiss on October 8, 2020, per the ECF notice.

8 4. Plaintiffs request leave of the court to file the remainder of opposition/response to
9 defendant County's remaining issues for dismiss on October 8, 2020.

10 I make this declaration under penalty perjury under the laws of the State of California,
11 executed this 5th day of October, 2020 in Berkeley, California.

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13 /s/ Yolanda Huang
14 Yolanda Huang
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EXHIBIT A



Yolanda Huang <yhuang.law@gmail.com>

Activity in Case 3:19-cv-07423-JSC Gonzalez et al v. Ahern et al Motion to Dismiss

ECF-CAND@cand.uscourts.gov <ECF-CAND@cand.uscourts.gov>

Mon, Sep 14, 2020 at 4:19 PM

To: efiling@cand.uscourts.gov

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

California Northern District

Notice of Electronic Filing

The following transaction was entered by Belaga, Jonathan on 9/14/2020 at 4:19 PM and filed on 9/14/2020

Case Name: Gonzalez et al v. Ahern et al

Case Number: [3:19-cv-07423-JSC](#)

Filer: Gregory J. Ahern
Alameda County Sheriff's Office
County of Alameda
Deputy Ignont
Deputy Joe
Derrick C. Hesselein
Thomas F. Madigan

Document Number: [52](#)

Docket Text:

First MOTION to Dismiss *PLAINTIFFS SECOND AMENDED COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED; MEMORANDUM OF POINTS AND AUTHORITIES* filed by Gregory J. Ahern, Alameda County Sheriff's Office, County of Alameda, Deputy Ignont, Deputy Joe, Derrick C. Hesselein, Thomas F. Madigan. Motion Hearing set for 10/22/2020 09:00 AM in San Francisco, Courtroom E, 15th Floor before Magistrate Judge Jacqueline Scott Corley. Responses due by **10/8/2020. Replies due by 10/15/2020. (Attachments: # (1) proposed order, # (2) cert, of service)(Belaga, Jonathan) (Filed on 9/14/2020)**

3:19-cv-07423-JSC Notice has been electronically mailed to:

Dennis Cunningham denniscunningham@juno.com, gordonk@hotmail.com, josh@fireflyjournal.com

Jonathan Jeremy Belaga jbelaga@skanewilcox.com, jbelaga@belagalaw.com, tle@skanewilcox.com, WWILCOX@SKANEWILCOX.COM

Lynn L. Krieger lynn.krieger@lewisbrisbois.com, mariane.wenger@lewisbrisbois.com

Yolanda Huang yhuang.law@gmail.com

3:19-cv-07423-JSC Please see Local Rule 5-5; Notice has NOT been electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\161-1004 Motion to Dismiss Plaintiffs' Second Amended Complaint 091420.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=9/14/2020] [FileNumber=17329683-0]

[94a13629686392a661b5f0d517c2be76dfbd3fc3c7a87b64c13117e6dfd3a0757330

d644b1833bdc5fa65bdb17f68f0375401cc947f33165a33f973395c4c1]]

Document description: poposed order

Original filename:C:\fakepath\161-1004 Proposed Order Granting MTD SAC 091420.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=9/14/2020] [FileNumber=17329683-1]

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4279af91465851f638056d1dc68ac3c18ed604149d962f14430fe6239210]]

Document description: cert, of service

Original filename:C:\fakepath\161-1004 pos-mot2dismiss 091420.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=9/14/2020] [FileNumber=17329683-2]

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EXHIBIT B



Yolanda Huang <yhuang.law@gmail.com>

Activity in Case 3:19-cv-07423-JSC Gonzalez et al v. Ahern et al Motion to Dismiss

ECF-CAND@cand.uscourts.gov <ECF-CAND@cand.uscourts.gov>

Mon, Sep 14, 2020 at 1:58 PM

To: efiling@cand.uscourts.gov

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U.S. District Court

California Northern District

Notice of Electronic Filing

The following transaction was entered by Krieger, Lynn on 9/14/2020 at 1:58 PM and filed on 9/14/2020

Case Name: Gonzalez et al v. Ahern et al

Case Number: [3:19-cv-07423-JSC](#)

Filer: Aramark Correctional Services, LLC

Document Number: [51](#)

Docket Text:

MOTION to Dismiss *Plaintiffs Second Amended Complaint* filed by Aramark Correctional Services, LLC. Motion Hearing set for 10/22/2020 09:00 AM in San Francisco, Courtroom E, 15th Floor before Magistrate Judge Jacqueline Scott Corley. Responses due by 9/28/2020. Replies due by 10/5/2020. (Attachments: # (1) Proposed Order)(Krieger, Lynn) (Filed on 9/14/2020)

3:19-cv-07423-JSC Notice has been electronically mailed to:

Dennis Cunningham denniscunningham@juno.com, gordonk@hotmail.com, josh@fireflyjournal.com

Jonathan Jeremy Belaga jbelaga@skanewilcox.com, jbelaga@belagalaw.com, tle@skanewilcox.com, WWILCOX@SKANEWILCOX.COM

Lynn L. Krieger lynn.krieger@lewisbrisbois.com, mariane.wenger@lewisbrisbois.com

Peter G. Bertling peter@bertlinglawgroup.com, cyndi@bertlinglawgroup.com, jemma@bertlinglawgroup.com, stephanie@bertlinglawgroup.com

Yolanda Huang yhuang.law@gmail.com

3:19-cv-07423-JSC Please see [Local Rule 5-5](#); Notice has NOT been electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\Gonzalez - Motion to Dismiss the Second Amended Complaint (F2).pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=9/14/2020] [FileNumber=17328701-0]
[aab7f7a1a1e7f215beac21a6f4f84b16879d923f007f4ad69851dd100ab5be4e079f
01ec7cbe7c7182d1eea95dda280ee22b58d1e546ae608b4803409de0eb8b]]

Document description:Proposed Order

Original filename:C:\fakepath\Gonzalez - ARAMARK MOTION TO DISMISS PLAINTIFFS SECOND AMENDED
COMPLAINT - PROPOSED ORDER.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=9/14/2020] [FileNumber=17328701-1]
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